

HOUSE BILL 728

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HB 1268/96 - JUD

2004 Regular Session
4r2221
CF 4r2870

By: **Delegates Burns, Boteler, Cane, Dwyer, Edwards, Frank, Impallaria,
Kach, Kelly, McDonough, O'Donnell, Parker, and Trueschler**

Introduced and read first time: February 5, 2004

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Same Sex Marriages - Foreign Jurisdictions - Invalidity**

3 FOR the purpose of providing that a marriage between two individuals of the same
4 sex that is validly entered into in another state or in a foreign country is not
5 valid in this State; altering the definition of a "foreign marriage" to provide that
6 the term includes a marriage ceremony between a man and woman; declaring
7 that marriages between individuals of the same sex are against the public policy
8 of this State; and generally relating to the validity of same sex marriages in the
9 State.

10 BY repealing and reenacting, with amendments,
11 Article - Family Law
12 Section 2-201 and 2-502(a)
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2003 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Family Law**

18 2-201.

19 (A) Only a marriage between a man and a woman is valid in this State.

20 (B) A MARRIAGE BETWEEN TWO INDIVIDUALS OF THE SAME SEX THAT IS
21 VALIDLY ENTERED INTO IN ANOTHER STATE OR IN A FOREIGN COUNTRY IS NOT
22 VALID IN THIS STATE.

23 (C) MARRIAGES BETWEEN INDIVIDUALS OF THE SAME SEX ARE AGAINST THE
24 PUBLIC POLICY OF THIS STATE.

25 2-502.

26 (a) In this section, "foreign marriage" means a marriage ceremony:

1 (1) performed outside this State; [and]

2 (2) BETWEEN A MAN AND A WOMAN; AND

3 ~~(2)~~ (3) in which 1 or both of the parties were or are citizens of this
4 State.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
6 effect October 1, 2004.